



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

GMP:BCR  
F. #2009R01065

*271 Cadman Plaza East  
Brooklyn, New York 11201*

January 23, 2019

By ECF

The Honorable Brian M. Cogan  
United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Joaquin Archivaldo Guzman Loera  
Criminal Docket No. 09-466 (S-4) (BMC)

Dear Judge Cogan:

The government writes to submit a proposed verdict sheet, supplement its proposed jury instructions (Dkt. No. 533), and provide notice in relation to two predicate violations of the continuing criminal enterprise ("CCE") count and one substantive count charged in the above-captioned case.

The government's proposed verdict sheet is attached hereto. It draws from final verdict sheets in other CCE cases in this district, such as United States v. Barret, No. 10-CR-809 (KAM) (Dkt. No. 463) and United States v. Rosemond, No. 11-CR-424 (ENV) (Dkt. No. 128).

The government also attaches hereto a supplement to its proposed jury instructions regarding venue.

Finally, the government provides notice that it will not proceed on Violations One and Seventy-Two of Count One of the Fourth Superseding Indictment (the "Indictment"), nor on Count Fifteen (which matches Violation Seventy-Two of Count One), and will not argue those violations or that count to the jury.<sup>1</sup> The government will proceed on the

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<sup>1</sup> Violation Seventy-Two of Count One had been re-numbered as Violation Fourteen and Count Fifteen had been re-numbered as Count Nine in the government's proposed jury

remaining 27 violations of the CCE count, as well as the remaining nine counts in the Indictment. To avoid confusion, the government previously proposed to re-number the violations and counts so that they appear sequentially in the verdict form, final jury instructions, and any other documents provided to the jury. The proposed verdict sheet and indictment attached hereto reflects this re-numbering effort.

Respectfully submitted,

RICHARD P. DONOGHUE  
UNITED STATES ATTORNEY  
Eastern District of New York  
271 Cadman Plaza East  
Brooklyn, New York 11201

ARTHUR G. WYATT, CHIEF  
Narcotic and Dangerous Drug Section  
Criminal Division,  
U.S. Department of Justice

OF COUNSEL:

ARIANA FAJARDO ORSHAN  
UNITED STATES ATTORNEY  
Southern District of Florida

Counsel for the United States of America

cc: Clerk of the Court (BMC) (by ECF)  
Counsel for Defendant (by ECF)

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instructions, following the government's earlier notice that it would not proceed on certain CCE violations and substantive counts.